

DNREC announces release of Coastal Zone Conversion Permit Act Regulatory Advisory Committee Report

Dover – The Department of Natural Resources and Environmental Control announced today that DNREC Secretary Shawn M. Garvin has released the Final Report and Recommendations of the Coastal Zone Conversion Permit Act Regulatory Advisory Committee (RAC). The report was presented to DNREC by the RAC Chairman, retired Delaware Supreme Court Justice Randy Holland, and contains the committee's recommendations regarding the regulatory approach and content of new regulations for Delaware's Coastal Zone Act governing conversion permits.



HB 190, the Coastal Zone Conversion Permit Act, was signed into law by Governor John Carney in August 2017. The Act authorizes DNREC to issue permits for construction and operation of new heavy industry uses within 14 existing sites of heavy industry use within the state's Coastal Zone. It also authorizes DNREC to issue permits for the bulk transfer of products under certain circumstances. The Act requires DNREC to develop and promulgate regulations for the issuance of conversion permits by Oct 1, 2019.

"The RAC's recommendations will serve as the guide to DNREC as we draft the conversion permit regulations," said Secretary Garvin. "I greatly appreciate the time and effort of the RAC members and I commend them in their ability to not only

develop the recommendations, but to work together to reach consensus on almost all of their recommendations. I thank Justice Holland and our facilitators from the Consensus Building Institute for their incredible leadership in this process that will serve as the gold standard for future regulatory advisory committees.”

RAC recommendations in the CZCP report address several key topic areas, including:

- Environmental impact
- Economic effect
- Offsets
- Financial assurance
- Plans for potential impacts of sea level rise and coastal storms
- Cross-cutting issues (that affect more than one of the other CZCP key topic areas, such as permit duration, renewal, modifications, revocation, reporting and monitoring)

DNREC will now prepare draft regulations that will be published in the Delaware Register on June 1, 2019. The draft regulations will go through a full regulatory development process, including public comment and a public hearing to be held later in June.

To view or download a copy of the CZCP report, please visit de.gov/conversionpermits. To receive updates on the regulatory process for developing the conversion permit, you can also subscribe to the Coastal Zone Act email listserv by sending a blank email to join-dnrec_coastal_zone@lists.state.de.us.

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